

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

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Timothy Lavar VanDerHorst,

Plaintiff,

v.

Paul Egger;
Jason Ward;
John Gregory Hembree;
Alma Y. White,

Defendants.

Civil Action No. 0:10-1537

ORDER

This matter is before the Court upon the pro se Plaintiff's complaint, filed pursuant to 42 U.S.C. § 1983. By local rule, the matter was referred to a United States Magistrate Judge for preliminary determinations.

On July 2, 2010, Magistrate Judge Paige J. Gossett issued a report and recommendation ("R&R") analyzing the Plaintiff's complaint and recommending that the Court dismiss all Defendants except for Defendant Egger based on immunity and/or the Younger abstention doctrine. The court mailed a copy of the R&R to the Plaintiff on July 2, 2010; however, on July 13, 2010, the Plaintiff's mail was returned as undeliverable. The Court mailed a second copy of the R&R to the Plaintiff on July 13, 2010; however, on July 22, 2010, this copy also was returned as undeliverable. It appears that the Plaintiff has failed to provide the Court with a correct address, and as a result, he also has failed to file objections to the R&R.

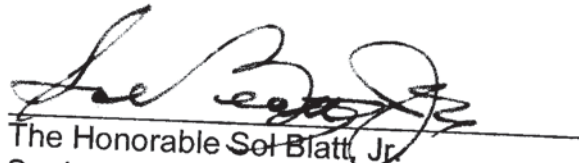
Absent timely objection from a dissatisfied party, a district court is not required to review, under a de novo or any other standard, a Magistrate Judge's factual or legal

conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985); Wells v. Shriner's Hosp., 109 F.3d 198, 201 (4th Cir. 1997). Here, because the Plaintiff did not file any specific, written objections, the Court need not conduct a de novo review of any portion of the R&R.

Based on the foregoing, the Court adopts the R&R as the Order of the Court, and it is hereby

ORDERED that the Plaintiff's complaint is dismissed without prejudice and without issuance and service of process as to Defendants Hembree, White, and Ward. Because this case is still pending against Defendant Egger, the Court remands this matter to the Magistrate Judge for further proceedings.

IT IS SO ORDERED.


The Honorable Sol Blatt, Jr.
Senior United States District Judge

August 24, 2010
Charleston, South Carolina

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